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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,381	09/26/2003	Bharat T. Doshi	Doshi 56-5-21-17-33	8412
46850 7590 08/20/2008 MENDELSON & ASSOCIATES, P.C. 1500 JOHN F. KENNEDY BLVD., SUITE 405 PHILADELPHIA, PA 19102				
EXAMINER				
CLOUD, JOIYA M				
ART UNIT		PAPER NUMBER		
2144				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/673,381

**Applicant(s)**

DOSHI ET AL.

**Examiner**

Joiya M. Cloud

**Art Unit**

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 May 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-850)  
Paper No(s)/Mail Date 07/25/2008 and 09/24/2007  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

***DETAILED ACTION***

1. This action is responsive to the communication filed 05/07/2008. Claims 1-23 are PENDING. Applicant's arguments with respect to the rejection(s) of claim(s) 1-23 under 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

***IDS***

Examiner acknowledges IDS submissions filed 09/24/2007 and 07/25/2008.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-23** are rejected under 35 U.S.C. 102(e) as being anticipated by Doverspike et al. (US Patent No. 6,982,951 B2).

As per **claim 1**, Doverspike teaches comprising: representing, in a network data structure, information associated with a mesh network having a plurality of nodes interconnected by a plurality of links, wherein the network data structure comprises, for each link in the network and each node or other link in the network (**Figure 3**), a representation of a minimum amount of protection bandwidth required to be reserved on said each link to restore service upon failure of said node or other link (**col. 5, lines 11-15 and col. 5, lines 45-50, where a minimum weight restoration path represents a required size for a connection given a network failure, see also Figure 3, col. 5, lines 15-25 and lines 39-57**); receiving a request for a new service in the network, wherein the new service is represented by a service data structure comprising an identification of each link and transit node in a primary path for the new service (**col. 5, lines 33-40, a connection request is received; see also col. 5, lines 60-64 and Figure 3**); determining, using the network and service data structures, whether the new service requires additional protection bandwidth to be reserved on any link in the network (**col. 5, line 25-40, where it is determined whether a restoration path or channels of restoration are needed to a connection (i.e. "the bandwidth needed for the connection," see col. 5, lines 38-40 and col. 6, lines 31-39)**); and updating the network data structure if any additional protection bandwidth is determined to be required for the new service (**col. 8, lines 32-35 and 46-48, updating the elements of the arrays**).

As per **claim 2**, Doverspike teaches wherein the service data structure further comprises an identification of bandwidth associated with the new service (**col. 5, lines 38-40**).

**As per claim 3**, Doverspike teaches wherein the network is a virtual-circuit mesh data network that transmits packetized data (**col. 5, lines 5-10**).

**As per claims 4 and 5**, Doverspike wherein the network data structure is distributed over the network such that at least one node in the network does not have all of the information in the network data structure and wherein each of the nodes in the network has all of the information in the network data structure (**col. 7, lines 30-40**).

**As per claim 6**, Doverspike teaches a method further comprising, in response to the new service request, determining a restoration path for the new service in the network using the network data structure (**col. 8, lines 9-21**).

**As per claim 7**, Doverspike teaches wherein the network data structure is an array of vectors, wherein: each vector in the array corresponds to a different link in the network; each vector in the array has a plurality of entries corresponding to the nodes and links in the network; for a first vector corresponding to a first link (**col. 8, lines 1-15**), each entry in the first vector corresponding to a node or other link identifies the minimum amount of protection bandwidth required to be reserved on the first link to restore service upon failure of the node or other link (**col. 6, lines 31-39 and col. 8, lines 30-40**); and the service data structure is a primary path vector having a plurality of entries corresponding to the nodes and links in the network, wherein: each entry of the primary path vector identifies whether the corresponding node or link is part of the primary path for the new service (**col. 8, lines 30-40**).

**As per claim 8**, Doverspike teaches wherein determining whether the new service requires any additional protection bandwidth to be reserved on a link A in the network comprises applying a vector addition operation between the primary path vector corresponding to the new

service request and the vector of the array corresponding to the link A to form a result vector, and comparing the maximum value in the result vector with the bandwidth already reserved on the link A to determine whether any additional protection bandwidth is required for the new service (col. 8, lines 35-40).

**As per claim 9**, Doverspike teaches wherein the additional protection bandwidth is required and is reserved if any result vector entry is greater than the bandwidth already reserved on the link (col. 9, lines 15-25).

**As per claim 10**, Doverspike teaches wherein the vector addition operation is applied between the primary path vector and each vector in the array corresponding to each different link in a restoration path for the new service (col. 8, lines 35-40).

**As per claim 11**, Doverspike teaches wherein the service data structure is primary path node-link vector V.sub.pnl (col. 6, lines 39-42 and col. 4, lines 63-67).

**As per claim 12**, Doverspike teaches wherein an incremental version of the network data structure is used to reduce the amount of data that is transmitted in the network to disseminate the information (col. 27, lines 40-46).

**As per claim 13-15**, Doverspike teaches wherein transmission control protocol/Internet protocol (TCP/IP) connections are used for the dissemination; wherein the compact representation is a node aggregate vector V.sub.na wherein each element of V.sub.na corresponds to a node in the network wherein the element's value is a function of the maximum of reservation bandwidths reserved on all links incident to the node and wherein the dissemination is accomplished using a link-state routing protocol (col. 6, lines 39-42 and col. 4, lines 63-67).

**As per claim 16**, Doverspike teaches wherein a compact version of the network data structure is used to reduce the amount of data that needs to be transmitted in the network to disseminate the information about each link (**col. 4, lines 63-67**).

**As per claims 17-19**, claims 17-19 lists substantially the same elements as claim 1 and is thus rejected using the same rationale.

**As per claim 20**, Doverspike teaches wherein a compact version of the network data structure is used to reduce the amount of data that needs to be transmitted in the network to disseminate the information about each link (**col. 4, lines 63-67**).

**As per claim 21**, Doverspike teaches wherein: the network data structure is an array of vectors, wherein: each vector in the array corresponds to a different link in the network; each vector in the array has a plurality of entries corresponding to all the nodes and links in the network (**col. 7, lines 30-33**); for a first vector corresponding to a first link, each entry in the first vector corresponding to a node or other link identifies the minimum amount of protection bandwidth required to be reserved on the first link to restore service upon failure of the node or other link (**col. 5, lines 25-40**); and the service data structure is a primary path vector having a plurality of entries corresponding to the nodes and links in the network, wherein each entry of the primary path vector identifies whether the corresponding node or link is part of the primary path for the new service (**Figure 3**).

**As per claim 22**, Doverspike teaches wherein: the network data structure is an array of vectors, wherein: each vector in the array corresponds to a different link in the network; each vector in the array has a plurality of entries corresponding to the nodes and links in the network (**col. 7, lines 41-46**); for a first vector corresponding to a first link, each entry in the first vector

corresponding to a node or other link identifies the minimum amount of protection bandwidth required to be reserved on the first link to restore service upon failure of the node or other link (**Figure 3 and col. 5, lines 25-40**); and the service data structure is a primary path vector having a plurality of entries corresponding to all the nodes and links in the network, wherein each entry of the primary path vector identifies whether the corresponding node or link is or is not part of the primary path for the new service (**Figure 3**).

**As per claim 23**, Doverspike teaches wherein: the network data structure is an array of vectors, wherein: each vector in the array corresponds to a different link in the network; each vector in the array has a plurality of entries corresponding to the nodes and links in the network; for a first vector corresponding to a first link, each entry in the first vector corresponding to a node or other link identifies the minimum amount of protection bandwidth required to be reserved on the first link to restore service upon failure of the node or other link (**col. 6, lines 31-39 and col. 5, lines 25-28**); and the service data structure is a primary path vector having a plurality of entries corresponding to the nodes and links in the network, wherein each entry of the primary path vector identifies whether the corresponding node or link is part of the primary path for the new service, wherein at least one entry of the primary path vector identifies that the corresponding node or link is not part of the primary path for the service (**Figure 3**).



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***JMC***

***/William C. Vaughn, Jr./***

**Supervisory Patent Examiner**

**August 18, 2008**

